

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY  
SANCTUARY ADVISORY COUNCIL**

**FINAL MEETING MINUTES**

**Wednesday, June 14, 2000**

**8:30 a.m. — 4:30 p.m.**

**Goleta Valley Community Center • Goleta, CA**

**In Attendance:**

**GOVERNMENT REPRESENTATIVES:**

**NATIONAL MARINE FISHERIES SERVICE**

Alternate Korie Johnson

**NATIONAL PARK SERVICE**

Member Jim Shevock

**US COAST GUARD**

Member Lt. Yuri Graves

**MINERALS MANAGEMENT SERVICE**

Member Drew Mayerson

**US NAVY**

Member Alex Stone

**CALIFORNIA COASTAL COMMISSION**

Member Gary Timm

**COUNTY OF SANTA BARBARA**

Member Dianne Meester

Alternate Jackie Campbell

**COUNTY OF VENTURA**

Member Lyn Krieger

**CALIFORNIA RESOURCES AGENCY**

Alternate Melissa Miller-Henson

**COMMUNITY REPRESENTATIVES:**

**TOURISM**

Alternate Alex Brodie

**BUSINESS**

Member Rudy Scott

**RECREATION**

Member Jim Brye

**FISHING**

Member Bruce Steele

**CONSERVATION**

Member Linda Krop

Alternate Greg Helms

**PUBLIC AT-LARGE**

Member Marla Daily

Alternate Robert Duncan

**PUBLIC AT-LARGE**

Member Craig Fusaro, Ph.D.

**NON-VOTING MEMBERS:**

**CHANNEL ISLANDS NATIONAL MARINE  
SANCTUARY**

LCDR Matthew Pickett, Manager

**GULF OF THE FARALLONES/CORDELL  
BANKS NATIONAL MARINE SANCTUARIES**

Ed Euber, Manager

**Not attending:**

**GOVERNMENT REPRESENTATIVES:**

**NATIONAL MARINE FISHERIES SERVICE**

Member Mark Helvey

**NATIONAL PARK SERVICE**

Alternate Gary Davis

**MINERALS MANAGEMENT SERVICE**

Alternate Fred Piltz, Ph.D.

**US NAVY**

Alternate Ron Dow

**CA DEP'T. OF FISH & GAME**

Member Patricia Wolf

Alternate LT. Jorge Gross

**CALIFORNIA RESOURCES AGENCY**

Member Brian Baird

**CALIFORNIA COASTAL COMMISSION**

Alternate Jack Ainsworth

**COUNTY OF VENTURA**

Alternate Jack Peveler

**NON-VOTING MEMBERS:**

**MONTEREY BAY NATIONAL MARINE  
SANCTUARY**

William Douros, Superintendent

**COMMUNITY REPRESENTATIVES:**

**TOURISM**

Member Michael Finucan

**BUSINESS**

Alternate Dr. Dan Secord

**FISHING**

Alternate Chris Williams

**EDUCATION**

Member Dave Long

Alternate Larry Manson

**RESEARCH**

Member Leal Mertes, Ph.D.

Alternate Matthew Cahn, Ph.D.

**PUBLIC AT-LARGE**

Member Jean-Michel Cousteau

Alternate Barry Schuyler

**1. Administrative Items and Announcements**

**A. Call To Order and Roll Call**

Chair Dr. Craig Fusaro called the meeting to order. SAC Coordinator Mike Murray called the roll. A quorum of voting members was present (15 seats represented at roll call). Additional two seats were subsequently represented as members arrived later in the day.

**B. Introductory Remarks**

Sanctuary Manager, LCDR Matthew Pickett thanked the SAC for participating in these additional meetings and reminded them that they will return to their regular schedule next month. Matt mentioned that he attended a manager's meeting last week and noted that everyone was excited to see the CINMS SAC working on the Management Plan. He then introduced Stephanie

Campbell, NOAA General Council, who was present to answer technical legal questions. Matt emphasized that CINMS is still developing options and asked the SAC to say open-minded.

Dr. Craig Fusaro asked the public to comment during the allotted times and encouraged them to submit written comments as well. Craig also announced that Korie Johnson will be moving to Washington, D.C. and will soon no longer serve on the SAC. He thanked Korie for serving on the SAC.

Dr. Brock Bernstein, Facilitator, laid out the following ground rules for the day: be concise, stay on schedule, and be respectful.

## **2. Management Plan Process**

### **A. Review of Packet Materials (Michael Murray)**

Mike Murray reviewed the background materials given to the SAC including: current regulations, management issues, jurisdictional setting, regulatory concepts, Management Plan review process background information, worksheet, extra maps, and revised boundary concept maps.

### **B. Review of Outcomes from Previous Workshop (Anne Walton and Ben Waltenberger)**

Anne Walton stated that it was easier to address boundary concepts first and regulations second. She noted that they might have missed something if they only looked at existing boundaries since the resources have changed over the years. Ben Waltenberger then reviewed each revised boundary concept. These concepts can be found on the CINMS website at:

<http://www.cinms.nos.noaa.gov/nmpWBND5.html>

Anne then presented on the outcomes from the previous boundary workshop. The slides from her presentation follow:

#### **What approach is used for the management plan review process?**

- Community-based public process organized by CINMS, and coordinated by the national office
- Driven by site-specific issues, but may also address issues of national concern
- Sanctuary Advisory Council to participate in all phases

#### **Why is CINMS looking at the boundary redefinition issue?**

- Overwhelming public interest
- NMSA directs CINMS to take an ecosystem approach
- Better understanding about the ecosystem than in 1980
- Analyzed range of alternatives for 1979 DEIS

#### **What approach was used to develop boundary concepts?**

- National Marine Sanctuary Act
- Site Designation document
- IUCN criteria for MPA designation

#### **Why is CINMS looking at a range of boundary concepts?**

- NEPA requires CINMS to evaluate a range of alternatives
- After evaluating the study area, CINMS staff recommended 6 boundary concepts

**Features to be captured in the range of boundary concepts:**

**PHYSICAL & GEOLOGICAL FEATURES**

1. Santa Rosa Plateau
2. Continental Slope
3. Santa Barbara Gyre
4. Santa Lucia Bank
5. Subsea Canyons
6. Submerged Rocky Reef

**HABITATS**

7. Undeveloped Coastline
8. Wetlands
9. Hydrocarbon Seeps
10. Anoxic Basin
11. Linkages to Coastal Watersheds

**LIVING RESOURCES & BIOLOGICAL PROCESSES**

12. Cetacean Migration & Feeding Corridors
13. Seabird Foraging Sites
14. Fish Larval Sources

**CULTURAL RESOURCES**

15. American Indian Artifacts
16. Historic Shipwrecks & Aircraft
17. Mainland Land Use Sites

**MANAGEMENT ISSUES OR CONCERNS**

18. Oil & Gas
19. Pt. Conception Upwelling
20. Other Upwelling Areas
21. Mainland Kelp Forests
22. Osborn Bank
23. Davidson Countercurrent
24. Extent of Recent Sea Otter Sightings

**May 30, 2000 — SAC Meeting**

- The Sanctuary Advisory Council approved CINMS moving forward with the six described boundary alternatives.

**Boundary Concepts and Regulations**

- 1<sup>st</sup> Step: identification of human activities in study area
- 2<sup>nd</sup> Step: identification of current or potential threats/impacts on the marine resources
- 3<sup>rd</sup> Step: apply to each boundary scenario

**Boundary Concepts and Regulations: Considerations**

- Need to recognize the diversity and interconnectedness of the marine resources

- With multiple jurisdictions and authorities, there is a need to provide a comprehensive management framework
- Need better intergovernmental coordination
- Need to balance protection with reasonable and responsible use
- Need to be proactive, and where appropriate incorporate the precautionary principle

#### **Steps for Proposing Regulations**

- Staff to review and consider SAC recommendations
- Staff to draft regulatory language
- DEIS to analyze socioeconomic and environmental impacts from proposed actions
- Feasibility analysis
- NOAA and DOC GCs to finalize language
- Draft DEIS starts approval process
- DEIS released for public comment

#### **C. Jurisdictional Overview (Cathryn Wild)**

Cathryn Wild gave a brief overview of the matrix document handout describing various resource issue areas and the agencies directly regulating those areas. Cathryn emphasized the complexity of the regulatory framework within the study area and acknowledged that the document is imperfect due to this framework and the limited timeframe in which she was given to create the document.

#### **D. Review of Discussion Format ( Dr. Brock Bernstein)**

Dr. Bernstein reviewed the regulation concept exercise. He explained that they will walk through each issue and open it up for discussion. Some of the points that he asked the SAC to consider were: 1) Is the issue worth looking at?, 2) Which boundary does it apply to?, 3) Are there any subareas or a higher focus that they should look at?, and 4) Are there any exemptions?

#### **E. Structured Discussion of Regulation Concepts**

For discussion notes and written comments, please view the CINMS website at:  
<http://www.cinms.nos.noaa.gov/sacmin.html>

### **3. Public Comment Period**

*Mick Kronman, Santa Barbara Harbor Operations Manager*

As the Harbor Operations Manager, Mick was concerned with several of the regulatory concepts. Mick stepped through the concepts that he had concerns with: Marine Sanitation Devices - emphasized that several ports and harbors are embracing policies to discourage them because of the adverse effect they can cause by pushing discharge towards harbors, Fish and Chumming Parts — critical to the fishing industry, Outfall and Dredge Materials — addressed as a concern in a letter from the Santa Barbara City Council to CINMS, Anchoring — mentioned that this is a function of boating life, Bottom Trawling — there are 12-15 trawlers in Santa Barbara for sea cucumbers, halibut, and ridgeback shrimp and eliminating trawling would bankrupt those businesses, Disturbance of Marine Mammals — covered in the Marine Mammal Protection Act, discourages overlay of regulations, and Taking of Animals — could have an impact on benign activities such as marine mammal rescue.

*Bruce Keogh, City of Morro Bay Wastewater Manager*

Suggested that CINMS look at current regulations and regulatory agencies and learn from them.

*Jeff Salt, Goleta Sanitary District*

Jeff read the following letter:

*June 12, 2000*

*Dear Lieutenant Commander Pickett:*

*The Goleta Sanitary District is submitting this letter with concerns regarding the proposed expansion of the Channel Islands National Marine Sanctuary's (CINMS) boundary as a part of the draft Environmental Impact Statement for the Sanctuary's update of its 5-year management plan. Our agency has been observing the issues associated with the potential boundary expansion, and specifically your staff's report to the City Council of the City of Santa Barbara.*

*Our District is commissioned with providing treatment and disposal of wastewater generated in the entire Goleta Valley. As you may already know, our treatment facilities are located in Goleta across from the Santa Barbara Municipal Airport, and our final treated effluent is discharged into the ocean at a location westerly from the Goleta pier. The treated effluent is discharged about a mile offshore and under about 93 feet of ocean waters.*

*For more than a decade, our District has actively been monitoring the ocean waters in the area surrounding our discharge location. Our monitoring program includes several sampling stations in the surf zone as well as several other stations further out in the ocean. The District analyzes ocean water samples weekly from the surf zone in addition to other analyses on quarterly and annual basis, which include fish, bottom sediment and water chemistry analyses. Our extensive monitoring program has demonstrated that our agency has not adversely affected the ocean water quality for more than the past decade.*

*With the potential expansion of the Marine Sanctuary closer to shore, our district is concerned that it may not be allowed to continue its treated effluent discharge into the ocean. Relocating our discharge point to a different location along the shore will be prohibitively expensive if not impossible. Transporting our effluent to an inland discharge location will not be feasible due to various environmental concerns as well as cost considerations.*

*Our district applauds the CINMS in its mission to providing research, education and preservation of the marine environment around the Channel Islands. We also wish to assist and work closely with you in your upcoming efforts to update your management plan to attain your goals and objectives. However, we would appreciate your considerations of our concerns expressed above. To that end, please call on us if we may be able to offer you further information.*

*Very truly yours,*

*Goleta Sanitary District  
Kamil S. Azoury, PE  
General Manager/District Engineer*

*Carolyn Moffat, Port San Luis Harbor District*

Carolyn mentioned that there were inconsistencies with oil and gas, particularly with regards to seismic activity. She was unclear how the regulations would be applied to existing undeveloped leases and requested that the regulations be based on potential impacts as the regulations are exercised.

*Paul Petrich, Goleta Resident*

Concerned with polluted beaches near agricultural areas. Mentioned a comprehensive study of the Salton Sea.

*John Gallo, Conception Coast Project*

Requested that CINMS preserve biodiversity hotspots. He believes that we must have marine reserves and encourages collaboration.

**SAC Final Comments:**

Dianne Meester: The Oil and Gas section of the Status of Resources Report is out of date.

Yuri Graves: Suggested that they get the offshore industry more involved with this process.

Bruce Steele: Suggested that CINMS needs more collaboration with National Park Service and the Department of Fish and Game.

**4. Summary of DEIS Process (Anne Walton)**

Anne reported that the Sanctuary will study acoustics and dumping sites more closely. The SAC will have 2 weeks to make additional comments on regulations. After June 28<sup>th</sup>, Sanctuary staff will look at these comments and develop regulatory language. The regulations will then go through socioeconomic and environmental analysis. After the analysis is complete the SAC will have the opportunity to discuss regulations before the DEIS is released.

**Final Comments from the Sanctuary Manager and the SAC Chair:**

Matt Pickett thanked the Council for going through this exercise and thanked Stephanie Campbell, Ed Euber and Sanctuary staff as well. Craig Fusaro asked the SAC to contact Matt Pickett or Mike Murray regarding future agenda topics. Matt Pickett asked the SAC to keep their calendars open for an additional meeting to discuss revised regulation concepts. A poll was taken to determine when would be most convenient for an additional SAC meeting and August 16<sup>th</sup> was identified as the best date. CINMS will contact the SAC to notify them if the July 19<sup>th</sup> meeting will or will not be postponed in lieu of the August 16<sup>th</sup> date.

**5. Future meeting dates, locations and agenda topics**

**A. Meeting Dates/Locations**

**July 19** SAC Meeting (Postponed)

**Aug. 16** SAC Meeting (Ventura) — New date added.

**Sept. 20** SAC Meeting (Lompoc)

**Nov. 16** SAC Meeting (Santa Barbara)

**B. Future Agenda Topics**

SAC Chair, Craig Fusaro, asked the Council to please send suggestions regarding future agenda topics to Mike Murray via e-mail.

**Meeting adjourned at 4:30 p.m.**

*Minutes respectfully submitted by:*

Mettja Hong  
Channel Islands National Marine Sanctuary